

10/04/2004 10:15:52

U.S. DISTRICT COURT, UTAH

Brent O. Hatch (5715)  
Mark R. Clements (7172)  
HATCH, JAMES & DODGE, PC  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Stephen N. Zack (admitted pro hac vice)  
Mark J. Heise (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
Bank of America Tower – Suite 2800  
100 Southeast Second Street  
Miami, Florida 33131  
Telephone: (305) 539-8400  
Facsimile: (305) 539-1307

Robert Silver, Esq. (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

Attorneys for Plaintiff The SCO Group, Inc.

---

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF UTAH**

---

THE SCO GROUP, INC.,  
a Delaware corporation,

Plaintiff,

vs.

NOVELL, INC.,  
a Delaware corporation,

Defendant.

**ORDER**

Civil No.: 2:04CV00139

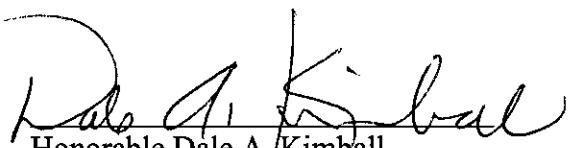
Judge: Dale A. Kimball

51

This matter comes before the Court on the Ex Parte Motion of Plaintiff The SCO Group, Inc. ("SCO") for Leave to File an over-length Memorandum in Opposition to Novell, Inc.'s Motion to Dismiss. The Court, having considered the matter, hereby determines that good cause exists and ORDERS that SCO be granted leave to file its over-length Opposition Memorandum.

DATED this 25th day of October, 2004

BY THE COURT:



Honorable Dale A. Kimball  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1st day of October 2004, I caused to be mailed a true and correct copy of the foregoing via first class U.S. Mail, postage prepaid, to the following:

Thomas R. Karrenberg  
John P. Mullen  
Heather M. Sneddon  
ANDERSON & KARRENBERG  
700 Bank One Tower  
50 West Broadway  
Salt Lake City, UT 84101

Michael A. Jacobs  
Matthew I. Kreeger  
MORRISON & FOERSTER  
425 Market Street  
San Francisco, CA 94105-2482

A handwritten signature in black ink, appearing to read "Michael A. Jacobs", is written over a horizontal line.

United States District Court  
for the  
District of Utah  
October 5, 2004

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:04-cv-00139

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Brent O. Hatch, Esq.  
HATCH JAMES & DODGE  
10 W BROADWAY STE 400  
SALT LAKE CITY, UT 84101  
EMAIL

Mr. Kevin P McBride, Esq.  
1299 OCEAN AVE STE 900  
SANTA MONICA, CA 90401  
EMAIL

Stephen Neal Zack, Esq.  
BOIES SCHILLER & FLEXNER  
100 SE 2ND ST STE 2800  
MIAMI, FL 33131  
EMAIL

Robert Silver, Esq.  
BOIES SCHILLER & FLEXNER  
333 MAIN ST  
ARMONK, NY 10504

Mr. Thomas R Karrenberg, Esq.  
ANDERSON & KARRENBERG  
50 W BROADWAY STE 700  
SALT LAKE CITY, UT 84101  
EMAIL

Mr. John P. Mullen, Esq.  
ANDERSON & KARRENBERG  
50 W BROADWAY STE 700  
SALT LAKE CITY, UT 84101  
EMAIL

Heather M. Sneddon, Esq.  
ANDERSON & KARRENBERG  
50 W BROADWAY STE 700  
SALT LAKE CITY, UT 84101  
EMAIL

Paul Goldstein, Esq.  
559 NATHAN ABBOTT WY  
STANFORD, CA 94305

Michael A. Jacobs, Esq.  
MORRISON & FOERSTER LLP  
425 MARKET ST  
SAN FRANCISCO, CA 94105-2482  
EMAIL

Matthew I. Kreeger, Esq.  
MORRISON & FOERSTER LLP  
425 MARKET ST  
SAN FRANCISCO, CA 94105-2482

Jim F Lundberg, Esq.  
NOVELL INC  
LEGAL DEPARTMENT  
1800 S NOVELL PLACE  
PROVO, UT 84606  
EMAIL